

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use in the Bank of Court for the purpose of initiating the civil docket sheet.

14C/3575 KMK JCM
14 CV 3575

PLAINTIFFS

EDWARD J. REYNOLDS, D.D.S., Individually and on behalf of all others similarly situated

DEFENDANTS

LIFEWATCH, INC., LIFEWATCH CORP., LIFEWATCH TECHNOLOGIES CORP., LIFEWATCH SERVICES, INC., LIFEWATCH, INC d/b/a LIFEWATCH USA, EVAN SIRLIN, MITCHELL MAY, ABC CORPORATIONS 1-10, AND
ATTORNEYS (IF KNOWN)
UNKNOWN

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Barry J. Gainey - GAINNEY McKENNA & EGGLESTON
95 ROUTE 17 SOUTH, SUITE 310, PARAMUS, NEW JERSEY 07652
201-225-9001

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. 1332(d) - Class Action - Diversity of Citizenship

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES	
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 422 APPEAL
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	28 USC 158
[] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	[] 423 WITHDRAWAL
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	[] 365 PERSONAL INJURY	28 USC 157
INSTRUMENT	SLANDER	PRODUCT LIABILITY	
[] 150 RECOVERY OF	[] 330 FEDERAL	[] 365 ASBESTOS PERSONAL	[] 690 OTHER
OVERPAYMENT &	EMPLOYERS'	INJURY PRODUCT	
ENFORCEMENT	LIABILITY	LIABILITY	
OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY	BANKRUPTCY
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT	[] 370 OTHER FRAUD	[] 422 APPEAL
[] 152 RECOVERY OF	LIABILITY	[] 371 TRUTH IN LENDING	28 USC 158
DEFAULTED	[] 350 MOTOR VEHICLE		[] 423 WITHDRAWAL
STUDENT LOANS	[] 355 MOTOR VEHICLE		28 USC 157
(EXCL VETERANS)	PRODUCT LIABILITY		PROPERTY RIGHTS
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL	[] 820 COPYRIGHTS
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[] 830 PATENT
OF VETERAN'S	[] 362 PERSONAL INJURY -	[] 385 PROPERTY DAMAGE	[] 840 TRADEMARK
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	
[] 160 STOCKHOLDERS		PRISONER PETITIONS	SOCIAL SECURITY
SUITS		[] 463 ALIEN DETAINEE	[] 861 HIA (1395f)
[] 190 OTHER	ACTIONS UNDER STATUTES	[] 510 MOTIONS TO	[] 862 BLACK LUNG (923)
CONTRACT	CIVIL RIGHTS	VACATE SENTENCE	[] 863 DIWC/DIWW (405(g))
CONTRACT	[] 440 OTHER CIVIL RIGHTS	28 USC 2255	[] 864 SSID TITLE XVI
PRODUCT	(Non-Prisoner)	[] 530 HABEAS CORPUS	[] 865 RSI (405(g))
LIABILITY	[] 441 VOTING	[] 535 DEATH PENALTY	
[] 196 FRANCHISE	[] 442 EMPLOYMENT	[] 540 MANDAMUS & OTHER	FEDERAL TAX SUITS
	[] 443 HOUSING/		[] 870 TAXES (U.S. Plaintiff or
REAL PROPERTY	ACCOMMODATIONS	PRISONER CIVIL RIGHTS	Defendant)
[] 210 LAND	[] 445 AMERICANS WITH	[] 550 CIVIL RIGHTS	[] 871 IRS-THIRD PARTY
CONDEMNATION	DISABILITIES -	[] 555 PRISON CONDITION	28 USC 7609
[] 220 FORECLOSURE	EMPLOYMENT	[] 560 CIVIL DETAINEE	
[] 230 RENT LEASE &	[] 446 AMERICANS WITH	CONDITIONS OF CONFINEMENT	
EJECTMENT	DISABILITIES - OTHER		
[] 240 TORTS TO LAND	[] 448 EDUCATION		
[] 245 TORT PRODUCT			
LIABILITY			
[] 290 ALL OTHER			
REAL PROPERTY			

MAY 19 2014

Check if demanded in complaint:

☒ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

465407008577

(PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented ☐ b. At least one party is pro se.

ORIGIN

(PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☐ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☒ 4 DIVERSITY

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [X] 1 [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	[] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [X] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Edward J. Reynolds
297 Orangeburg Road
Pearl River, New York 10965
Rockland County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

LifeWatch, Inc. d/b/a LifeWatch USA
LifeWatch Corp.
266 Merrick Road, Suite 104
Lynbrook, NY 11563

LifeWatch, Inc.
Evan Sirlin
Mitchell May
1344 Broadway, Suite 106
Hewlett, NY 11557

All Defendants are
Nassau County

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

LifeWatch Technologies Corp.
LifeWatch Services, Inc.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☒ WHITE PLAINS ☐ MANHATTAN
(DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 5/15/14 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[X] YES (DATE ADMITTED Mo. 11 Yr. 1985)
Attorney Bar Code # BG7560

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge MAG. JUDGE MCCARTHY is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)